

**REMARKS**

Claim 13 is currently being amended to incorporate previously pending claim 17 therein, and as such, claim 17 is currently being cancelled. Additionally, new claims 25 and 26 are currently being added. New claim 25 was derived from previously pending claims 13 and 14, while new claim 26 was derived from previously pending claims 13 and 16.

The amendments provided herein do not introduce new matter within the meaning of 35 U.S.C. §132. Accordingly, entry of the amendments by the Examiner is respectfully requested.

**1. Allowable Subject Matter**

Applicant kindly thanks the Examiner for acknowledging claims 14, 16, and 17 are merely objected to as being dependent upon a rejected base claim, and thus would be allowable if rewritten in independent form. Accordingly, Applicant has amended claim 13 to incorporate previously pending claim 17 therein. Additionally, as mentioned above, new claims 25 and 26 are both derived from previously pending claim 13 and claims 14 and 16, respectively. Accordingly, Applicant respectfully believes the instant claims are in condition for allowance, and as such, Applicant respectfully requests the Examiner to reconsider and withdraw the instant rejections.

2. Rejection of Claims 13 and 18-24 Under 35 U.S.C. §102(b) to EP

0 395 083

Applicant has amended claim 13 to incorporate previously pending claim 17 therein. Therefore, Applicant respectfully believes the instant rejection has been obviated and should be withdrawn.

3. Rejection of Claims 13, 15, and 18-24 Under 35 U.S.C. §102(e)

to U.S. Patent Application Publication 2006/0025300

As with EP 0 395 083, Applicant has amended claim 13 to incorporate previously pending claim 17 therein. Therefore, Applicant respectfully believes the instant rejection has been obviated and should be withdrawn.

4. Double Patenting Rejection of Claims 13, 15, and 18-24 to

Claims 1, 4-6, 8-12, 19-22, 25, 26, and 28 in Co-Pending

Application 10/537,079

Applicant has amended claim 13 to incorporate previously pending claim 17 therein. Therefore, Applicant respectfully believes the instant rejection has been obviated and should be withdrawn.

**CONCLUSION**

Based upon the above remarks, the presently claimed subject matter is believed to be novel and patentably distinguishable over the prior art of record. The Examiner is therefore respectfully requested to reconsider and withdraw the pending objection and rejections, and allow claims 13-16 and 18-26. Favorable action with an early allowance of the claims pending in this application is earnestly solicited.

The Examiner is welcomed to telephone the undersigned practitioner if she has any questions or comments.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on

August 19, 2009.

Signature

John R. Butta  
Date August 19 2009

## ATTACHMENT A

Claims 1 – 12: (Cancelled)

13. (Currently Amended) An adduct comprising MgCl<sub>2</sub>, ethanol and a Lewis base (LB) different from water, said adduct further comprising a fusion enthalpy lower than 100 J/g, and formula MgCl<sub>2</sub>•(EtOH)<sub>n</sub>(LB)<sub>p</sub>, wherein n is from 2 to 6 and p is p/(n+p)≤0.1.

14. (Previously Presented) The adduct according to claim 13, wherein p is p/(n+p)≤0.0125.

15. (Previously Presented) The adduct according to claim 13, wherein the Lewis base is selected from ethers, esters, compounds of formula RX<sub>m</sub>, and combinations thereof, wherein R is a hydrocarbon group comprising from 1 to 20 carbon atoms; X is -NH<sub>2</sub>, -NHR or -OH; and m is 1 or higher.

16. (Previously Presented) The adduct of claim 15, wherein RX<sub>m</sub> is selected from the group consisting of methanol, propanol, isopropanol, n-butanol, sec-butanol, tert-butanol, pentanol, 2-methyl-1-pentanol, 2-ethyl-1-hexanol, phenol, 4-methyl-1-phenol, 2,6-dimethyl-1-phenol, cyclohexanol, cyclopentanol, ethylen glycol, propylen glycol ,4-butanediol, glycerine, mannitol, polyvinyl-alcohol, acetonitrile, ethylenediammine, 3-picoline, triethanolamine, triethylamine, and diisopropylamine.

17. (Cancelled)

18. (Previously Presented) A catalyst component for polymerizing at least one olefin comprising a product of a reaction between a transition metal compound and the adduct according to claim 13.

19. (Previously Presented) The catalyst component according to claim 18, wherein the transition metal compound is selected from at least one titanium compound comprising formula Ti(OR)<sub>n</sub>X<sub>y-n</sub>, wherein n is between 0 and y; y is a valence of titanium; X is halogen;

and R is an alkyl radical comprising 1-8 carbon atoms, or COR, wherein R is a hydrocarbon group comprising from 1 to 20 carbon atoms.

20. (Previously Presented) The catalyst component according to claim 19, wherein the titanium compound is selected from  $TiCl_3$ ,  $TiCl_4$ ,  $Ti(OBu)_4$ ,  $Ti(OBu)Cl_3$ ,  $Ti(OBu)_2Cl_2$ , and  $Ti(OBu)_3Cl$ .

21. (Previously Presented) The catalyst component according to claim 18, wherein the reaction between the transition metal compound and the adduct is carried out in presence of an electron donor compound.

22. (Previously Presented) The catalyst component according to claim 21, wherein the electron donor is selected from esters, ethers, amines, and ketones.

23. (Previously Presented) A catalyst for polymerizing at least one olefin comprising a product of a reaction between the catalyst component according to claim 19, and an aluminum alkyl compound.

24. (Previously Presented) A process for polymerizing at least one olefin of formula  $CH_2=CHR$ , wherein R is hydrogen or a hydrocarbon radical comprising 1-12 carbon atoms, carried out in presence of the catalyst according to claim 23.

25. (New) An adduct comprising  $MgCl_2$ , ethanol and a Lewis base (LB) different from water, said adduct further comprising formula  $MgCl_2 \bullet (EtOH)_n(LB)_p$ , wherein n is from 2 to 6 and p is  $p/(n+p) \leq 0.0125$ .

26. (New) An adduct comprising  $MgCl_2$ , ethanol and a Lewis base (LB) different from water, said adduct further comprising formula  $MgCl_2 \bullet (EtOH)_n(LB)_p$ , wherein n is from 2 to 6 and p is  $p/(n+p) \leq 0.1$ , and said Lewis base is selected from the group consisting of methanol, propanol, isopropanol, n-butanol, sec-butanol, tert-butanol, pentanol, 2-methyl-1-pentanol, 2-ethyl-1-hexanol, phenol, 4-methyl-1-phenol, 2,6-dimethyl-1-phenol,

cyclohexanol, cyclopentanol, ethylen glycol, propylen glycol ,4-butanediol, glycerine, mannitol, polyvinyl-alcohol, acetonitrile, ethylenediammine, 3-picoline, triethanolamine, triethylamine, and diisopropylamine.